

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

U.S. DISTRICT COURT
EASTERN DISTRICT - WI
FILED

2021 MAR -2 P 4: 57

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.

21-CR-052

YIZREEL B. TATE,
DESHUN M. JACKSON, and
GARY D. STEPHENS,

Defendants.

[Title 18, United States Code,
Sections 1014, 1341, 1343, and
1349; Title 42, United States Code,
Section 408]

INDICTMENT

COUNT ONE

(Conspiracy to Commit Mail and Wire Fraud, 18 U.S.C. § 1349)

THE GRAND JURY CHARGES THAT:

1. Beginning in or about September 2015 and continuing through at least March 2017, in the State and Eastern District of Wisconsin and elsewhere,

**YIZREEL B. TATE,
DESHUN M. JACKSON, and
GARY D. STEPHENS**

knowingly conspired with each other, and with others known and unknown to the Grand Jury, to devise and participate in a scheme to defraud car dealerships and lenders and obtain money and property by means of materially false and fraudulent pretenses and representations, using and causing the use of the United States mail and interstate wire communications, in violation of Title 18, United States Code, Sections 1341 and 1343.

2. The purpose of the conspiracy and scheme to defraud was to obtain, by false and fraudulent pretenses and representations, financing for cars that the defendants would purchase and then use for their own purposes, including renting the cars to others for profit.

Manner and Means of the Conspiracy and Description of the Scheme to Defraud

As part of the conspiracy and scheme:

3. The defendants and others obtained and shared fictitious social security numbers and combined them with other legitimate and fabricated documents and information to create new identities. In truth, the fictitious social security numbers were either invalid or belonged to minors.

4. The defendants and others submitted and caused the submission of credit applications that incorporated false and fraudulent information to obtain financing for car purchases at various dealerships in Wisconsin and elsewhere.

5. The defendants made materially false statements and representations to dealerships and lenders to secure financing for the following transactions, among others:

Approximate Date	Dealership Location	Car Financed
September 11, 2015	Irving, Texas	2015 RAM 1500 (VIN -5898)
September 22, 2015	Kenosha, Wisconsin	2015 Nissan Rogue (VIN -1397)
September 22, 2015	Kenosha, Wisconsin	2016 Fiat 500X (VIN -0329)
September 23, 2015	Kenosha, Wisconsin	2015 Chrysler Town & Country (VIN -2200)
January 14, 2016	Kenosha, Wisconsin	2015 Nissan Altima (VIN -8440)
March 10, 2016	Kenosha, Wisconsin	2014 Cadillac ATS (VIN -0073)
March 10, 2016	Kenosha, Wisconsin	2015 Buick Encore (VIN -8857)
March 14, 2016	Kenosha, Wisconsin	2015 Chevrolet Malibu (VIN -7227)
March 15, 2016	Kenosha, Wisconsin	2015 Nissan Rogue (VIN -6189)
March 15, 2016	Kenosha, Wisconsin	2015 Chevrolet Camaro (VIN -1736)
June 3, 2016	Kenosha, Wisconsin	2015 Nissan Sentra (VIN -5061)
June 21, 2016	Milwaukee, Wisconsin	2010 Hyundai Genesis (VIN -2236)

Approximate Date	Dealership Location	Car Financed
June 22, 2016	Milwaukee, Wisconsin	2016 Dodge Charger (VIN-5275)
February 25, 2017	Milwaukee, Wisconsin	2017 Hyundai Sonata (VIN -1044)
March 21, 2017	Kenosha, Wisconsin	2013 Jaguar XF (VIN -8831)

6. The defendants used and caused the use of the United States mail and interstate wire communications through, for example, the conveyance of credit applications to lenders and credit bureaus located outside of Wisconsin, and the mailing of title and registration documents by the Wisconsin Department of Transportation.

7. As a result of the defendants' actions and omissions, lenders suffered financial losses.

All in violation of Title 18, United States Code, Section 1349.

COUNTS TWO through FIVE

(False Statements to Financial Institutions, 18 U.S.C. § 1014)

THE GRAND JURY FURTHER CHARGES THAT:

8. At all times relevant to this Indictment:
- a. The deposits of Huntington National Bank were insured by the federal government through the Federal Deposit Insurance Corporation.
 - b. Guardian Credit Union was chartered under the laws of the State of Wisconsin and insured by the federal government through the National Credit Union Administration.
 - c. Landmark Credit Union was chartered under the laws of the State of Wisconsin and insured by the federal government through the National Credit Union Administration.

9. On or about the dates listed below, in the State and Eastern District of Wisconsin,

YIZREEL B. TATE

knowingly made false statements for the purpose of influencing the actions of federally insured financial institutions, in that the defendant falsely represented his social security number and caused these false representations to be incorporated in credit applications submitted to obtain financing for car purchases.

Count	Date	Financial Institution
2	September 23, 2015	Huntington National Bank
3	March 10, 2016	Guardian Credit Union
4	March 14, 2016	Landmark Credit Union
5	February 25, 2017	Landmark Credit Union

Each in violation of Title 18, United States Code, Section 1014.

COUNTS SIX through ELEVEN

(False Representation of Social Security Number, 42 U.S.C. § 408)

THE GRAND JURY FURTHER CHARGES THAT:

10. On or about the dates listed below, in the State and Eastern District of Wisconsin,

YIZREEL B. TATE,

for the purpose of obtaining car financing and for any other purpose, knowingly and with the intent to deceive, falsely represented to car dealerships and lenders that the social security numbers set forth below were his, when in fact, as the defendant knew, these social security numbers were not assigned to him by the Commissioner of Social Security:

Count	Date	False Representation
6	March 10, 2016	TATE claimed that his SSN was XXX-XX-8615.
7	March 10, 2016	TATE claimed that his SSN was XXX-XX-8615.
8	March 14, 2016	TATE claimed that his SSN was XXX-XX-8615.
9	March 15, 2016	TATE claimed that his SSN was XXX-XX-8615.
10	March 15, 2016	TATE claimed that his SSN was XXX-XX-8615.
11	February 25, 2017	TATE claimed that his SSN was XXX-XX-4336.

Each in violation of Title 42, United States Code, Section 408(a)(7)(B).

COUNTS TWELVE and THIRTEEN

(False Representation of Social Security Number, 42 U.S.C. § 408)

THE GRAND JURY FURTHER CHARGES THAT:

11. On or about the dates listed below, in the State and Eastern District of Wisconsin,

DESHUN M. JACKSON,

for the purpose of obtaining car financing and for any other purpose, knowingly and with the intent to deceive, falsely represented to car dealerships and lenders that the social security numbers set forth below were his, when in fact, as the defendant knew, these social security numbers were not assigned to him by the Commissioner of Social Security:

Count	Date	False Representation
12	June 22, 2016	JACKSON claimed that his SSN was XXX-XX-5662.
13	March 21, 2017	JACKSON claimed that his SSN was XXX-XX-9137.

Each in violation of Title 42, United States Code, Section 408(a)(7)(B).

COUNTS FOURTEEN and FIFTEEN

(False Representation of Social Security Number, 42 U.S.C. § 408)

THE GRAND JURY FURTHER CHARGES THAT:

12. On or about the dates listed below, in the State and Eastern District of Wisconsin,

GARY D. STEPHENS,

for the purpose of obtaining car financing and for any other purpose, knowingly and with the intent to deceive, falsely represented to car dealerships and lenders that the social security numbers set forth below were his, when in fact, as the defendant knew, these social security numbers were not assigned to him by the Commissioner of Social Security:

Count	Date	False Representation
14	June 3, 2016	STEPHENS claimed that his SSN was XXX-XX-9013.
15	June 21, 2016	STEPHENS claimed that his SSN was XXX-XX-9013.

Each in violation of Title 42, United States Code, Section 408(a)(7)(B).

FORFEITURE NOTICE

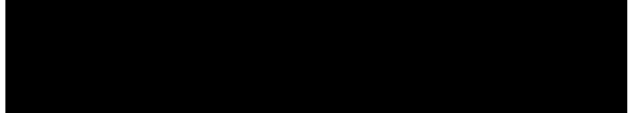
13. Upon conviction of the offense of conspiracy to commit mail and wire fraud, in violation of Title 18, United States Code, Section 1349, as set forth in Count One of this Indictment, defendants YIZREEL B. TATE, DESHUN M. JACKSON, and GARY D. STEPHENS shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense.

14. Upon conviction of any of the offenses of false statement to a financial institution, in violation of Title 18, United States Code, Section 1014, as set forth in Counts Two through Five of this Indictment, defendant YIZREEL B. TATE shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any property constituting, or derived from, proceeds obtained directly or indirectly as a result of the offense. The property to be forfeited includes, but is not limited to, a sum of money equal to the proceeds derived from the offense.

15. If any of the property described above, as a result of any act or omission by any defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third person; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be subdivided without difficulty, the United States of America shall be entitled to forfeiture of substitute property, pursuant to Title 21, United States Code,

Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c).

A TRUE BILL:



FOREPERSON

Dated: 3/2/2021

for Maynot B. Hu
RICHARD G. FROHLING
Acting United States Attorney